

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

LEE YOUNG AND CHARLES J. MIKHAIL

PLAINTIFFS

VS.

CIVIL ACTION NO. 1:09-cv-669

RICHARD F. SCRUGGS, INDIVIDUALLY;
SMBD, INC., DIRECTLY AND AS SUCCESSOR
IN INTEREST TO SCRUGGS, MILLETTE BOZEMAN,
AND DENT A/K/A SMBD, AND AS SUCCESSOR IN
INTEREST TO SCRUGGS LEGAL, P.A.; AND
DOE DEFENDANTS 1-20

DEFENDANTS

DEFENDANTS' MOTION FOR ENLARGEMENT OF TIME

Defendants Richard F. Scruggs and SMBD, Inc. ("Defendants") respectfully request this Court to enlarge the time in which they may submit a response to Plaintiffs' Complaint. In support of this Motion, Defendants state as follows:

1. Plaintiffs filed their Complaint on September 9, 2009. Service was attempted upon Defendant Richard F. Scruggs on or about November 16, 2009. Service was attempted upon Defendant SMBD on November 20, 2009.

2. Assuming service dates of November 16 and 20, Defendant Richard F. Scruggs' response to the Complaint would be due on December 7, 2009, and Defendant SMBD's response to the Complaint would be due on December 10, 2009.

3. Due to their counsel's work on other matters, the intervening Thanksgiving holiday week, and the need for additional time to prepare a full and adequate response to the detailed and complex allegations contained in Plaintiffs' Complaint and RICO Statement, Defendants respectfully request an extension of time until and including December 21, 2009, in which to respond to the Complaint.

4. Counsel for Plaintiffs has indicated that Plaintiffs will not agree to any extension of time.

5. This short extension of time is not requested for the purpose of delay and will not prejudice any of the parties in any way.

6. Defendants reserve all defenses and counterclaims that they, or either of them, may have to or against Plaintiffs, either of them, or any of their claims.

FOR THESE REASONS, Defendants respectfully request that this Court grant them an extension of time until and including December 21, 2009, in which to respond to the Complaint. Defendants request such other relief as the Court deems appropriate under the circumstances.

THIS, the 3d day of December, 2009.

/s/ Paul B. Watkins, Jr.

J. CAL MAYO, JR. (MB NO. 8492)

POPE S. MALLETTE (MB NO. 9836)

PAUL B. WATKINS (MB NO. 102348)

*Attorneys for Defendants Richard F. Scruggs and
SMBD, Inc.*

OF COUNSEL:

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Oxford, Mississippi 38655
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CERTIFICATE OF SERVICE

I, PAUL B. WATKINS, JR., one of the attorneys for Defendants Richard F. Scruggs and SMBD, Inc., do certify that I have electronically filed the foregoing document with the Clerk of the Court using the ECF system, who forwarded a copy of same to the following:

James R. Reeves, Jr., Esq.
P.O. Drawer 1388
Biloxi, Mississippi 39533

ATTORNEYS FOR PLAINTIFFS

THIS, the 3d day of December, 2009.

/s/ Paul B. Watkins, Jr.
PAUL B. WATKINS, JR.